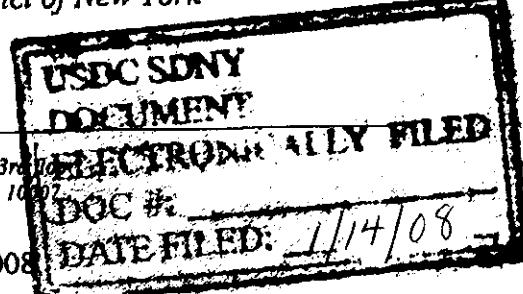


United States Attorney  
Southern District of New York



BY FAX

Honorable Andrew J. Peck  
United States Magistrate Judge  
United States District Court  
500 Pearl Street  
New York, New York 10007

Re: Cheryl Gibbs v. Astrue  
07 Civ. 10563 (GBD) (AJP)

Dear Judge Peck:

**BY FAX**

We write, pursuant to the Court's December 10, 2007 order in the above-referenced Social Security case, to advise the Court that the parties have not jointly agreed to referral of this matter to your Honor for all purposes. We also wish to advise the Court that the U.S. Attorney's Office was served with the complaint in this matter on December 27, 2007, and our answer is currently due on February 25, 2008. We appreciate the Court's consideration of this matter.

Respectfully,

MICHAEL J. GARCIA  
United States Attorney

By:

Susan D. Baird  
SUSAN D. BAIRD  
Assistant United States Attorney  
tel. (212) 637-2713  
fax (212) 637-2750

cc: BY FEDERAL EXPRESS

Cheryl Gibbs  
Plaintiff pro se  
594 Union Avenue, Apt. 2D  
Bronx, New York 10455

# FAX TRANSMITTAL SHEET



**ANDREW J. PECK  
UNITED STATES MAGISTRATE JUDGE  
UNITED STATES DISTRICT COURT**

Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1370  
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933  
Telephone No.: (212) 805-0036

Dated: January 14, 2008

Total Number of Pages: 2

| TO                   | FAX NUMBER   |
|----------------------|--------------|
| Susan D. Baird, Esq. | 212-637-2750 |
|                      |              |

## **TRANSCRIPTION:**

**MEMO ENDORSED 1/14/08**

**Gov't answer due 2/25. Gov't motion remains due 3/6, and Ms. Gibbs' response to the motion is due 3/27.**

**Copies to: Cheryl Gibbs (Regular & Certified Mail)  
Judge George B. Daniels**